



Entered on Docket
October 07, 2009

Hon. Bruce A. Markell
United States Bankruptcy Judge

WILDE & ASSOCIATES

Gregory L. Wilde, Esq.
Nevada Bar No. 004417
208 South Jones Boulevard
Las Vegas, Nevada 89107
Telephone: 702 258-8200
Fax: 702 258-8787

Deutsche Bank Trust Company Americas, as Indenture Trustee for Saxon Asset Securities Trust 2006-1
09-73148 / 0011924717

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

Jose Baudilio Torres Jr. and Gracie S. Torres

BK-S-09-13978-bam

MS Motion No.
Date:
Time:

Chapter 13

Debtors.

ORDER RE ADEQUATE PROTECTION

Secured Creditor's Motion for Relief from the Automatic Stay having come on for hearing in the above-entitled Court, all appearances as noted on court record, and based upon all the papers and pleadings on file herein and good cause appearing therefor,

1 IT IS HEREBY ORDERED, ADJUDGED and DECREED that the debtor will cure the post-
 2 petition arrearages currently due as follows:

3 1 Monthly Payments at \$1,119.84	\$1,119.84
4 (June 1, 2009 shortfall)	
5 3 Monthly Payments at \$1,159.92	\$3,479.76
6 (July 1, 2009 – September 1, 2009)	
Motion Filing Fee	\$ 150.00
Attorneys Fees	<u>\$ 750.00</u>
Total Arrearages:	\$5,499.60

7 The above arrearage shall be paid in six (6) monthly installments of \$916.60. These payments
 8 shall be in addition to the regular monthly payment and shall be due on or before the 20th day of the month
 9 commencing with the October 20, 2009 payment and continuing throughout and concluding on or before
 10 March 20, 2010.

11 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
 12 Debtors at least five business days' notice of the time, place and date of sale.

13 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Debtor shall resume and
 14 maintain the regular monthly payments in a timely fashion, outside of any Bankruptcy Plan, beginning
 15 with the October 1, 2009 payment, on Secured Creditor's Trust obligation, encumbering the subject
 16 Property, generally described as 1370 Neil Avenue, Las Vegas, NV 89021, and legally described as
 17 follows:

18 All that certain real property situated in the County of Clark, State of Nevada, described as follows:
 19 Parcel I:

20 Beginning at the Northwest Corner (NW Cor.) of the South West Quarter (SW ¼) of the Northwest
 21 Quarter (NW ¼) of Section 26, Township 15 South, Range 67 East, M.D.B. & M.

22 Thence South 615.5 feet;
 23 Thence East 695.88 feet to the True Point of the Beginning.
 24 Thence North 208.85 feet;
 25 Thence East 208.85 feet;
 26 Thence South 208.85 feet;
 Thence West 208.85 feet to the True Point of Beginning.

27 Parcel II:

28 An easement for ingress and egress over that portion of than as described by Grant, Bargain Sale Deed
 recorded April 27, 1972 in Book 226 as Document No. 185728 and re-recorded January 31, 1995 in Book
 950131 as Document No. 01894 Official Records, Clark County, Nevada.

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2 IT IS FURTHER ORDERED, ADJUDGED and DECREED that if the Debtors fail to make any
3 payments as stated in this Order, or fail to maintain the regular monthly payments on Secured Creditor's
4 Trust Deed obligation, allowing the normal grace period, then Secured Creditor may file and serve upon
5 Debtors and Debtors' counsel, a fifteen (15) Day Notice Declaration Re Breach of Condition. For each
6 such Declaration Re Breach of Condition filed, there shall be assessed an attorney fees of \$100.00, to be
7 paid by the Debtors upon any reinstatement. If upon the sixteenth (16th) day Debtors have failed to cure
8 the delinquency, then Secured Creditor may submit to this Court an Order vacating the automatic stay as to
9 Secured Creditor, and Secured Creditor may thereafter proceed with foreclosure proceedings upon the
10 subject Property, pursuant to applicable State Law, and take any action necessary to obtain complete
11 possession thereof.

12 Submitted by:

13 WILDE & ASSOCIATES

14 By G. L. Wilde #10331

15 GREGORY L. WILDE, ESQ.

16 Attorneys for Secured Creditor

17 208 South Jones Boulevard

18 Las Vegas, Nevada 89107

19 APPROVED AS TO FORM & CONTENT.

20 Rick A. Yarnall

21 By Rick A. Yarnall 9-30-09

22 Rick A. Yarnall

23 Chapter 13 Trustee

24 701 Bridger Avenue #820

Las Vegas, NV 89101

David M. Crosby, Esq.

By David M. Crosby

David M. Crosby, Esq.

Attorney for Debtors

711 S. 8th Street

Las Vegas, NV 89101

Nevada Bar No.

3499